

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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DUOLINE TECHNOLOGIES, L.P.,

ORDER

Plaintiff,

10-cv-252-bbc

v.

McCLEAN ANDERSON, LLC,

Defendant.  
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In an order dated April 1, 2011, I directed plaintiff Duoline Technologies, L.P. to file an answer or other response to defendant McClean Anderson LLC's counterclaims, despite plaintiff's assertion that defendant had not properly asserted any counterclaims in this case. On April 8, plaintiff filed an answer to the counterclaims, together with additional information from the clerk of court of the Eastern District of Texas suggesting that defendant knew it had misfiled its counterclaims. However, as I explained in the previous order, the clerk of court's opinion regarding the validity of defendant's filing is insufficient reason to ignore defendant's counterclaims. The counterclaims were not stricken and nothing on the docket indicates that they were rejected. Thus, this case will proceed according to the current schedule, dkt. #31. Defendant's motion for entry of default will be denied.

ORDER

IT IS ORDERED that defendant McClean Anderson LLC's motion for entry of default, dkt. #85, is DENIED. This case will proceed according to the current scheduling order.

Entered this 14th day of April, 2011.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge